

AMENDED IN ASSEMBLY APRIL 23, 2015

AMENDED IN ASSEMBLY MARCH 26, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

## ASSEMBLY BILL

**No. 752**

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**Introduced by Assembly Member Salas**

February 25, 2015

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An act to amend Section 94904 of the Education Code, relating to private postsecondary education.

### LEGISLATIVE COUNSEL'S DIGEST

AB 752, as amended, Salas. Private postsecondary education: California Private Postsecondary Education Act of 2009.

Existing law, the California Private Postsecondary Education Act of 2009, provides for the regulation of private postsecondary educational institutions by the Bureau for Private Postsecondary Education in the Department of Consumer Affairs. The act requires an institution that is subject to the act's provisions to enroll each student solely by means of executing an enrollment agreement, and requires a student without a high school diploma or its equivalent, before enrolling, to take an independently administered examination from a list of examinations prescribed *as of July 1, 2012*, by the United States Department of Education and achieve a passing score, as specified by the United States Department of Education. The act further authorizes the bureau to publish its own list of acceptable examinations and required passing scores if the United States Department of Education does not have a list of relevant examinations that pertain to the intended occupational training.

If the bureau publishes its own list of acceptable examinations in this context, the

*This bill would require the bureau to ~~include the Comprehensive Adult Student Assessment System examination on the list.~~ review, on or before July 1, 2016, the list of examinations prescribed by the United States Department of Education as of the time of the review. If the bureau determines there is no examination on that list appropriate for students with limited English proficiency and without a high school diploma or its equivalent, the bill would require the bureau to approve an alternative examination for these students, as specified.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 94904 of the Education Code is amended  
2 to read:

3 94904. (a) ~~Before~~ *Except as provided in subdivision (c), before*  
4 *an ability-to-benefit student may execute an enrollment agreement,*  
5 *the institution shall have the student take an independently*  
6 *administered examination from the list of examinations prescribed*  
7 *as of July 1, 2012, by the United States Department of Education*  
8 *pursuant to Section 484(d) of the federal Higher Education Act of*  
9 *1965 (20 U.S.C. Sec. 1070a et seq.). The student shall not enroll*  
10 *unless the student achieves a score, as specified by the United*  
11 *States Department of Education, demonstrating that the student*  
12 *may benefit from the education and training being offered.*

13 (b) If the United States Department of Education does not have  
14 a list of relevant examinations that pertain to the intended  
15 occupational training, the bureau may publish its own list of  
16 acceptable examinations and required passing scores. ~~If the bureau~~  
17 ~~publishes its own list, the list shall include the Comprehensive~~  
18 ~~Adult Student Assessment System examination.~~

19 (c) *The bureau shall, on or before July 1, 2016, review the list*  
20 *of examinations prescribed by the United States Department of*  
21 *Education. If the bureau determines there is no examination on*  
22 *the list appropriate for ability-to-benefit students with limited*  
23 *English proficiency, the bureau shall approve an alternative*  
24 *examination for these students. When approving the alternative*

- 1 *examination, the bureau may consider the Comprehensive Adult*
- 2 *Student Assessment System examination.*

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